

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

GARY WEBSTER,)	
<i>Derivatively on Behalf of Nominal</i>)	
<i>Defendant Kansas City Southern,</i>)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:14-CV-00349-BCW
)	
KANSAS CITY SOUTHERN, et al.,)	
)	
Defendants.)	

BRUCE LERNER,)	
<i>Derivatively on Behalf of Nominal</i>)	
<i>Defendant Kansas City Southern,</i>)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:14-CV-00509-BCW
)	
KANSAS CITY SOUTHERN, et al.,)	
)	
Defendants.)	

ORDER

Before the Court is the parties' Joint Motion for Entry of Order Consolidating Related Actions and Appointing Lead Plaintiffs' Counsel. (Case No. 4:14-CV-00349-BCW, Doc. #20). The Court, being duly advised of the premises, grants said Motion.

On April 16, 2014, Plaintiff Gary Webster filed a shareholder derivative action against corporate Defendant Kansas City Southern and individual Defendants David L. Starling, David R. Ebbrect, Patrick J. Ottensmeyer, Michael W. Upchurch, Lu M. Cordova, Henry R. Davis, Robert J. Druten, Terrence P. Dunn, Antonio O. Garza Jr., Michael R. Haverty, Thomas A.

McDonnell, and Rodney E. Slater. (No. 14-349, Doc. #1). Plaintiff Bruce Lerner filed a separate shareholder derivative action against the same defendants on June 6, 2014. (Case No. 4:14-CV-00509-BCW, Doc. #1).

The parties' jointly represent that these matters "involve the same subject matter, same defendants, and common questions of law and fact." (Doc. #20). As a result, the parties have agreed that the above-captioned matters should be consolidated for all purposes. See FED. R. CIV. P. 42. Under the circumstances, the Court agrees that the interests of justice and efficiency are best served through consolidation under Rule 42. Accordingly, and pursuant to the parties' agreement, it is hereby

ORDERED the parties' Joint Motion for Entry of Order Consolidating Related Actions and Appointing Lead Plaintiffs' Counsel is GRANTED. The above-captioned matters are consolidated for all purposes. It is further

ORDERED, that pursuant to the parties' agreement, lead counsel for Plaintiffs shall be Frank J. Johnson and Shawn Fields of Johnson & Weaver, LLP, and Brian J. Robbins and George C. Aguilar of Robbins Arroyo, LLP. Liaison counsel for Plaintiffs shall be Tim Dollar and Thomas Hershewe of Dollar Burns & Becker LC.

IT IS SO ORDERED.

DATED: October 29, 2014

/s/ Brian C. Wimes
JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT